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2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA

4 Shane Lee Brown,

5 Plaintiff

6 v.

7 Las Vegas Metropolitan Police Department, et  
8 al.,

9 Defendants

Case No. 2:22-cv-00041-CDS-EJY

**Notice of Intent to  
Dismiss Under Local Rule 41-1**

10 In January of 2022, plaintiff Shane Brown commenced this civil-rights action under  
11 42 U.S.C § 1983 seeking redress on constitutional violations he allegedly suffered during an  
12 arrest. Compl., ECF No. 1. There has been no activity from Brown in this matter since defendants  
13 City of Henderson and Las Vegas Metropolitan Police Department were dismissed in July 2022.  
14 ECF No. 10. Defendants Joe Lombardo, Thedrick Andres, and the City of Henderson Police  
15 Department have yet to appear.

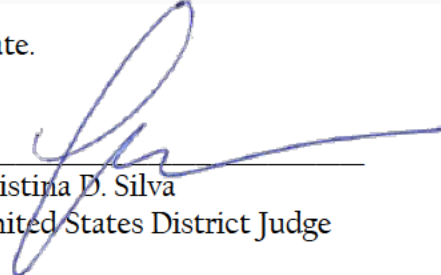
16 This district's Local Rules provide for dismissal of an action for want of prosecution:

17 All civil actions that have been pending in this Court for more than  
18 270 days without any proceeding of record having been taken may,  
19 after notice, be dismissed for want of prosecution by the court sua  
sponte or on the motion of an attorney or pro se party.

20 LR 41-1. Further, it is within the inherent power and discretion of the court to sua sponte  
21 dismiss a civil case for lack of prosecution. Fed. R. Civ. P. 41(b). A plaintiff must prosecute his  
22 case with "reasonable diligence" to avoid dismissal pursuant to Rule 41(b). *Anderson v. Air W.,*  
23 *Inc.*, 542 F.2d 522, 524 (9th Cir. 1976).

1 Here, it appears that Brown has failed to prosecute with reasonable diligence because  
2 this case has laid dormant for almost two years. Thus, this order serves as notice that the  
3 complaint will be dismissed without prejudice and without further notice on June 28, 2024,  
4 unless Brown takes action in this matter before that date.

5 Dated: June 5, 2024

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7 Cristina D. Silva  
8 United States District Judge  
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